

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: JANUARY 9, 2006
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #7 – LAFCO 2985 – City of Redlands Annexation
No. 84 (Tentative Tract 16586)**

SUBMITTED BY:

Property Owner Petition

RECOMMENDATION:

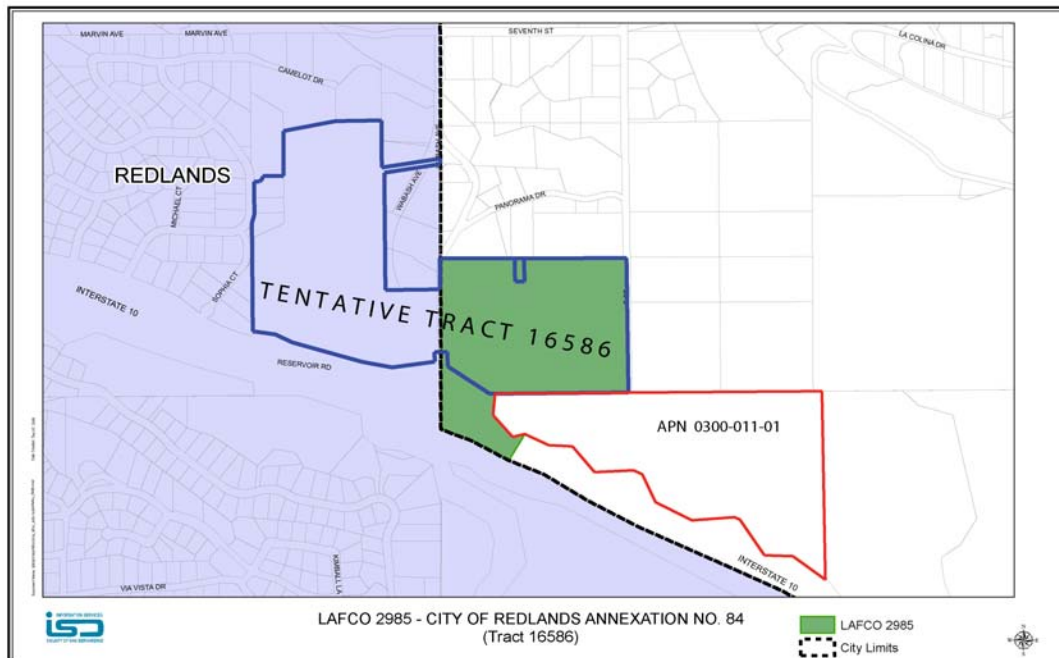
- 1) With respect to environmental review, take the following actions:
 - a) Certify that the Mitigated Negative Declaration and Addendum to the Mitigated Negative Declaration and other related documents prepared by the City of Redlands have been independently reviewed and considered by the Commission, its staff and its Environmental Consultant;
 - b) Determine that the City's environmental assessment, Mitigated Negative Declaration and Addendum taken together are adequate for the Commission's use as a CEQA Responsible Agency for its determinations related to LAFCO 2985, indicating that mitigation measures identified are the responsibility of the City of Redlands and others, and not the Commission and are self-mitigating through implementation of the adopted Conditions of Approval for the project; and,
 - c) Direct the Clerk to file Notices of Determination within five (5) days and find that no further Department of Fish and Game filing fees are required by the Commission's approval since the City, as lead agency, has paid said fees.

- 2) Approve LAFCO 2985 with the standard conditions of approval.
- 3) Adopt LAFCO Resolution #2906 setting forth the Commission's findings, determinations and conditions of approval.

BACKGROUND:

The property owner, Griffin Industries, of Tentative Tract 16586 submitted an application for annexation of 28.5 +/- acres to the City of Redlands in April 2005. This application addressed the unincorporated portion of Tentative Tract 16586 which proposes the development of 76 single-family residential units, five common lots on 66.2 acres. The purpose of the annexation proposal was to consolidate the balance of the development project (28 acres) under the jurisdiction of the City of Redlands. The annexation territory was located generally east of Wabash Avenue, northerly of parcel lines.

LAFCO staff in processing the application requested that the proposal be expanded to include the single parcel to be surrounded along the northerly boundary not owned by the applicant (Assessor Parcel Number 0299-213-16) and to extend the proposal southerly to include the territory of the I-10/Wabash Avenue off-ramp. The applicant and City staff have complied with the staff's requests, have modified maps and legal documents, and have prepared amended environmental documents for the proposal. The map shown below outlines the modified proposal.



Therefore, the area proposed to be annexed through the application presented to the Commission at this hearing encompasses approximately 34 +/- acres. This area includes the unincorporated portion of Tentative Tract 16586 approved by the City of Redlands which includes the development of 28 residential lots and two lettered or common lots on a total of 28 acres (now owned by Granite Homes Redlands LLC – see attachment #4), APN 299-213-16 and the territory of the Wabash Avenue off-ramp of Interstate 10. Vicinity maps and maps of the proposal are included in Attachment #1.

BOUNDARIES:

As identified above, the original annexation proposal excluded APN 299-213-16 along its northern boundary. This parcel was excluded from the proposed annexation, land use planning process and environmental assessment on the basis that the developer was unable to contact the listed owner. In review of the application, LAFCO staff expressed concern that this parcel was excluded from the application and that the southerly boundary did not include the adjacent Wabash off-ramp to Interstate 10. In response to staff concerns, the property owners and City have expanded the proposal to include these areas; the environmental assessment was expanded to address their inclusion in Annexation No. 84; and pre-zoning was approved to address the land use considerations to include this additional territory.

The boundaries were not expanded to include the large parcel along I-10 southeasterly of the boundary as shown on the map on page 2. This parcel was not included due to the anticipated long-term open space nature of the property and the lack of need for municipal-level services. This determination is based upon the property owner of this parcel having no interest in annexation; the land is primarily zoned for resource conservation by the City General Plan which allows 1 unit per 10 acres for slopes greater than 40%; and the topography is steep hills along the Freeway sloping in a northerly direction.

The revised boundaries as presented by the City will include the balance of the development project within the jurisdiction of the City of Redlands so that a single land use authority will review and process the 76 unit development; it will prevent the creation of a peninsula of unincorporated territory embodied in APN 299-213-16; and it will clarify emergency response responsibilities for the Wabash on- and off-ramps of Interstate 10.

LAND USE:

Existing land uses for the site are predominantly vacant with a single house and garage within the area proposed for annexation. The existing County land use designation for the area is RS-1 (Single-Family Residential, one dwelling unit per acre).

The City of Redlands General Plan designation for the area is Very Low Density (0-2.7 units per acre). The City of Redlands has processed the following land use approvals for the project area:

1. A zone change, Zone Change No. 400, to Residential Estate/Planned Residential Development (R-E/PRD) in keeping with the existing City General Plan for the area. This land use designation allows for one unit per 14,000 square foot lot;
2. A Conditional Use Permit, CUP No. 815, for a Planned Residential Development on approximately 66.2 acres (approximately 28.5 acres of unincorporated territory to be annexed and 36.7 acres within the current City of Redlands limits). This CUP allows for 76 residential lots and five (5) common lots for the entirety of the project. The area proposed for annexation is anticipated to have 28 units and two common lots;
3. A tentative tract map (Tentative Tract #16586) for 76 parcels and five common lots on 66.2 acres of lands. Of that territory, 28.5 acres are located within the annexation proposal;
4. A Demolition Permit No. 82 for demolition of a house and garage over fifty (50) years old located at 1015 S. Wabash Avenue, within the unincorporated area; and,
5. A zone change, Zone Change No. 420, which provides an addendum to the earlier review to address the addition of APN 0299-213-16 within the Residential Estate/Planned Residential Development (R-E/PRD) land use classification for the parcel that would have been a peninsula of unincorporated territory.

The land uses proposed by the City of Redlands are consistent with its existing General Plan and existing land uses to the west already developed within the area known as “Wimbledon Heights” within the City of Redlands. A copy of the adopted Conditions of Approval for this project is included as a part of Attachment #2.

SERVICE ISSUES AND EFFECTS ON OTHER LEVELS OF GOVERNMENT

The City of Redlands has certified and submitted a plan for the extension of municipal services as required by law, and that Plan is attached to this report for Commission review (a part of Attachment #2). This document provides an outline of the City’s required Socio-Economic Cost Benefit Study pursuant to the City Municipal Code indicating that the project, once developed, will have a positive financial effect for the City. Highlights of the Plan include the following:

- Sewage collection services can be extended into the area from existing facilities within Reservoir Road approximately 1,400 feet westerly of Wabash Avenue. The City of Redlands is responsible for wastewater collection and treatment. The capacity at the City of Redlands Water Reclamation Facility was recently upgraded to a capacity of 9.5 million gallons per day; while present plant treatment on a daily basis is 6.5 million gallons. The Developers of the project will be required to pay sewer capital improvement charges and sewer main frontage fees for a total of \$297,887 along with the costs associated with installation of 8-inch sewer mains and other associated infrastructure. The financing of this service will be through actual user fees and charges.
- Water service is to be provided to the project through extension of facilities within Reservoir Road at Wabash Avenue. The area is within the area identified as the City of Redlands Water Service Area for the Crafton area and water supply is available at elevations that can service this area. The Developers of this project will be required to pay water source acquisition charges, water capital improvement charges and water main frontage charges for a total of \$620,225 along with the costs associated with water line extension and installation of fire hydrants. The financing of this service is through actual user fees and charges.
- Law enforcement responsibilities will shift from the County Sheriff's Department, which operates out of the City of Yucaipa substation, to the City of Redlands Police Department. The City indicates that its Police Department will absorb this territory into its existing beat system immediately to the west of the site and will not immediately need additional personnel to serve the site. The financing of this service will be through the ad valorem property tax received by the City from this area.
- Solid waste services are not currently provided within the annexation area. Upon annexation and development, this service will be provided by the City of Redlands. The Developers of this project will be required to pay \$49,400 in Solid Waste Capital Improvement Charges. The ongoing maintenance and operation of this service is financed through actual user fees and charges.
- Upon annexation and completion of Tract 16586, the individual parcels will have an additional special tax assessment of 0.0155 percent of the assessed valuation of the property to fund the City's Measure "O" debt service. This bond measure was passed in 1987 to fund the purchase of land for parks, recreation, citrus preservation, and open space within the City.
- Fire protection services are currently provided by County Service Area 38 (CSA 38) and will be replaced by the City of Redlands fire and emergency

medical services. The current CSA 38 fire service is provided from County Station #9, located at Crafton Avenue and Mentone Blvd., within the community known as Mentone. This station is located approximately 3.75 miles from the annexation area.

The City Plan for Service indicates that its Fire Department can provide the necessary service to this site from its Station No. 262, located slightly more than a mile from the western boundary of the annexation area on Garden Street. Paramedic services are included on all City of Redlands equipment, a service not currently available through CSA 38. Paramedic services are currently funded within the City through a special paramedic tax assessment. Upon annexation and development of the parcels, the property owners of each residential lot will pay a fixed rate of \$39.70 per residence. The County's Consolidated Fire Agency has indicated that it does not have a concern with the annexation.

As required by Commission policy and State law, the Plan for Service submitted by the City of Redlands shows that the extension of its services will maintain, and/or exceed, current service levels provided through the County. As required by the City of Redlands Municipal Code, the project shows a positive Cost-Benefit ratio.

ENVIRONMENTAL ISSUES:

The City of Redlands has reviewed and approved a Mitigated Negative Declaration for Zone Change No. 400, Conditional Use Permit No. 815, Tentative Tract No. 16586, and Annexation No. 84. These actions were taken in November 2004. Following initial review of the application by LAFCO staff and concerns expressed regarding the boundaries, the City of Redlands prepared, circulated, and adopted an Addendum to this Environmental Review Document identified as Zone Change No. 420 which addressed the expansion of the application to include APN 0299-213-16 and the territory of the Wabash Avenue off-ramp of Interstate 10. LAFCO staff and LAFCO Environmental Consultant have participated in the environmental process associated with both actions.

The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the City of Redlands environmental assessment, Mitigated Negative Declaration and Addendum and determined that they are adequate for the Commission's review as a CEQA responsible agency. A copy of the City's environmental documents is included as Attachment #5 to this report. The necessary actions to be taken by the Commission, as a responsible agency, include the following:

1. Indicate that the Environmental Checklist, the Mitigated Negative Declaration and the Addendum to the Mitigated Negative Declaration adopted by the City of Redlands have been independently reviewed

and considered by the Commission, its staff, and its Environmental Consultant;

2. Determine that the Mitigated Negative Declaration and Addendum to the Mitigated Negative Declaration are adequate for the Commission's use as a CEQA responsible agency for its determinations related to LAFCO 2985;
3. Determine that the Commission does not intend to adopt alternatives or mitigation measures for this project, and that that the mitigation measures identified are the responsibility of the City of Redlands and others, and not the Commission, and are self-mitigating through implementation of the adopted Conditions of Approval of the City's Conditional Use Permit and Socio-Economic Study; and,
4. Direct the Clerk to file Notices of Determination within five days and find that no further Department of Fish and Game filing fees are required by the Commission's approval since the City, as lead agency, has paid said fees.

FINDINGS:

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/ reorganization proposal:

1. State law indicates that an area containing 12 or more registered voters is "legally inhabited." The Registrar of Voters Office has determined that the study area is legally uninhabited, containing zero (0) registered voters as of May 9, 2005.
2. The County Assessor has determined that the total assessed value of land and improvements within the expanded study area is \$569,271 (land value is \$556,195, and improvement value is \$13,076).
3. The area is within the sphere of influence assigned the City of Redlands within the area commonly known as Crafton.
4. Commission review of this proposal has been advertised in *The Sun* and the *Redlands Daily Facts*, newspapers of general circulation within the study area. Individual notice has been provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notification.

5. LAFCO staff has provided individual notice to the landowners within the annexation area (2) and to landowners and voters surrounding the study area (287) in accordance with state law and adopted Commission policies. To date, no written comments or protests to this proposal have been received from area landowners or registered voters.
6. The City of Redlands has pre-zoned the study area as Residential Estate, Planned Residential Development (R-E/PRD) allowing for 14,000 square foot lots. This zoning designation conforms to the adopted General Plan for the City of Redlands, is consistent with existing land uses within the area, and will take effect upon annexation. Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for two years following annexation unless specific actions are taken by the City Council.
7. The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the City of Redlands Addendum No. 420 to the Mitigated Negative Declaration for Annexation No. 84, and the Environmental Assessment and the Mitigated Negative Declaration for Annexation No. 84. Mr. Dodson has determined that these documents, taken together, are adequate for the Commission's review of the proposed annexation as a responsible agency. The necessary actions to be taken by the Commission, as a responsible agency, are outlined in the narrative portion of this report.
8. The area in question is presently served by the following local agencies:
 - County of San Bernardino
 - San Bernardino Valley Municipal Water District
 - Inland Empire Resource Conservation District
 - County Service Area 38 (fire protection)
 - County Service Area 70 (multi-function unincorporated area Countywide)
 - County Service Area 70 Improvement Zone P-7 (inactive park and recreation)

Detachment of CSA 38, CSA 70, and CSA 70 Improvement Zone P-7 will automatically occur upon successful completion of this proposal as required by Government Code Section 25210.90. None of the other agencies are affected by this proposal as they are regional in nature.
9. Upon annexation, the City will extend its services as required by the progression of development. The City of Redlands has submitted a plan for the extension of municipal services to the study area and certified the adequacy of the plan, as required by law. The financial information presented within the Plan for Service indicates that the extension of services

can be maintained and operated through the existing revenue resources available through the transfer of property taxes, utility rates, and fees for service and presents a positive revenue picture for the City. This plan is attached for Commission review and indicates that the City can maintain the level of service delivered and can improve the level and range of selected services currently available in the area.

10. The annexation proposal, as modified, is consistent with State law and complies with Commission policies and directives that indicate:
 - a. The preference for areas proposed for development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained;
 - b. The consolidation of a single ownership anticipated for development be included within a single jurisdiction; and,
 - c. The need to eliminate creation of peninsulas of unincorporated territory and clarify emergency response relationships along the Wabash Avenue/I-10 on- and off-ramps.
11. The study area will benefit from the availability and extension of municipal services from the City of Redlands.
12. This proposal will assist the City's ability to achieve its fair share of the regional housing needs as it represents residential land uses authorizing the development of 76 residential units.
13. The County of San Bernardino and the City of Redlands have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this annexation. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
14. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office

CONCLUSION:

The property owners, as the applicant, have presented a proposal that will consolidate their land holdings under the jurisdiction of the City of Redlands to allow for completion of the development project identified as Tentative Tract 16586. The City of Redlands has indicated its support for this application, certified to the Plan for Service, and has approved the development project which extends from existing City territory into the unincorporated area. The proposal as

presented to the Commission would unify that development project under a single jurisdiction. The City of Redlands has responded to LAFCO staff concerns regarding the boundaries for this proposal; therefore, staff supports the approval based upon policy standards developed by the Commission, and those outlined in State law, as follows:

- ❑ The area is developing at urban levels of land use and is in need of a broad level and range of municipal services. Those services, predominantly water and sewer collection services, are only available within the area through the City of Redlands.
- ❑ It is clear that this area will benefit from the extension of the City's services based upon the anticipated land use.
- ❑ The site is adjacent to urban development and the annexation will allow for the coordination of services and necessary improvements within the overall area as vacant lands transition to urban uses.

Based upon these determinations and those contained throughout the staff report, staff recommends approval of LAFCO 2985 – City of Redlands Annexation No. 84.

KRM:

Attachments:

1. Location and Vicinity Maps of Project Area
2. Application Submitted by Property Owner and Plan for Service Certified by the City of Redlands
3. City of Redlands Letter In Support of Application
4. Landowner Consent Forms
5. Response from Tom Dodson, Tom Dodson and Associates, with Copies of City of Redlands Environmental Documents
6. Draft Resolution #2906